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Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council

Note verbale dated 1 April 2015 from the Permanent Mission of Georgia to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Georgia to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to refer to the decision of the Government of Georgia to present its candidature to the Human Rights Council for the period 2016-2018, at the elections to be held in October 2015, during the seventieth session of the Assembly in New York.

In accordance with General Assembly resolution 60/251, the Permanent Mission of Georgia has the honour to transmit the voluntary pledges and commitments of Georgia with regard to its contribution to the promotion and protection of human rights (see annex).

The Permanent Mission of Georgia requests that the present note and its annex be circulated as a document of the General Assembly, under item 114 (e) of the preliminary list.

* A/70/50.

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Annex to the note verbale dated 1 April 2015 from the Permanent Mission of Georgia to the United Nations addressed to the President of the General Assembly

Candidature of Georgia to the Human Rights Council, 2016-2018

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

1. Georgia is honoured to present its candidature for membership in the Human Rights Council for the term 2016-2018. Georgia is an unequivocal supporter of the Council and its mechanisms, which represent a significant instrument for enhancing human rights standards worldwide. Georgia is committed to further advancing its national and foreign policies for the protection of human rights. If elected as a member of the Council, Georgia, which has never been a member of the Council before, will actively contribute to ensuring effectiveness in addressing human rights violations.

2. Since regaining its independence, Georgia has proven its commitment to the rapid pace of successful reforms contributing as a whole to a State that is increasingly built on fully inclusive political and economic institutions. A wide range of reforms to bolster the rule of law, transparency and accountability of the Government before the people has earned Georgia a reputation as a State with modern and innovative approaches to good governance and participatory democracy. The experience of Georgia in sectoral reforms, including anti-corruption and open governance policies, and its know-how in the innovative delivery of public services, have made it an example to follow. Georgia will therefore be a responsible member of the Council, with original input to offer to advance the global realization of the values and principles of the United Nations and its human rights system.

1. Actions at the international level

Adherence to the United Nations human rights instruments

3. A firm supporter of the United Nations human rights machinery, Georgia has signed and ratified most of the United Nations human rights instruments, most recently the Convention on the Reduction of Statelessness (in force since 1 July 2014) and the Convention on the Rights of Persons with Disabilities (in force since 12 April 2014).

Cooperation with special procedures mechanisms

4. Georgia extended a standing invitation to all special procedures mandate holders in 2010. To date, Georgia has received visits from Special Rapporteurs on various thematic issues, including freedom of religion or belief, the rights to freedom of peaceful assembly and of association, the human rights of internally displaced persons, and torture and other cruel, inhuman or degrading treatment or punishment, as well as the Working Group on Arbitrary Detention. The Government of Georgia expects to receive the Special Rapporteur on the human right to safe drinking water and sanitation in the course of 2015. The Special Rapporteur on the sale of children, child prostitution and child pornography is planning to visit Georgia in 2016.

5. Georgia has been implementing in good faith the recommendations set out in the reports prepared by the Special Rapporteurs following their visits to Georgia and will continue the practice of compliance with their recommendations.

Cooperation with the Office of the United Nations High Commissioner for Human Rights

6. Georgia attaches great significance to the cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR). Georgia enjoys fruitful cooperation with the OHCHR Regional Office in the South Caucasus, based in Tbilisi, which is actively engaged in human rights activities and projects.

7. The visit of the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, to Georgia in May 2014 provided a new impetus to Georgia's relationship with the Office of the High Commissioner.

Implementation of United Nations human rights instruments

8. Georgia regularly submits its periodic reports to the United Nations human rights treaty monitoring bodies and attaches the utmost importance to the implementation of their recommendations. Georgia attaches particular importance to the proper implementation of the reporting obligations under the United Nations human rights treaties. In 2013, the Ministry of Foreign Affairs assumed the responsibility of coordinating the preparation of the State periodic reports. In order to ensure coordinated work among State agencies and good-quality reports to the treaty bodies, a permanent inter-agency working group that serves as the national coordination mechanism was set up in 2014, which includes high-level and mid-level officials from the executive, the judiciary and the Parliament of Georgia. In parallel, in order to enhance the skills and capacities of the inter-agency working group members, targeted trainings are being organized with the support of the United Nations Development Programme that focus, in particular, on United Nations human rights obligations and best practices on their implementation.

Universal periodic review

9. Fully committed to the peer-review spirit of the universal periodic review, Georgia has developed an inclusive national reporting process and maintains a highly cooperative approach to its review cycles, both nationally and internationally. During the first cycle of the universal periodic review, Georgia undertook the implementation of 136 recommendations. At the same time, it undertook a voluntary obligation to submit a midterm report on the process of implementing recommendations that it had accepted, which was submitted in December 2013. Currently, Georgia is in the process of preparing a State report under the second cycle of the universal periodic review. While all ministries, respective agencies, parliament and the judiciary are engaged in the preparation of the report, Georgia attaches paramount importance to the wider engagement of the national human rights institutions, non-governmental organizations (NGOs) and civil society representatives in this process.

Contributions to international initiatives for the promotion and protection of human rights

10. Georgia is actively engaged in promoting human rights through the provision of human, technical and financial resources to this cause. One of the examples of

Georgia's leadership in that regard is an initiative on the principles and guidelines for ensuring legal aid in the criminal justice system.

11. In May 2012, the Commission on Crime Prevention and Criminal Justice of the United Nations Office on Drugs and Crime adopted a resolution on principles and guidelines for ensuring legal aid in the criminal justice system. On 20 December 2012, the General Assembly adopted its resolution 67/187, entitled "United Nations principles and guidelines on access to legal aid in criminal justice systems", initiated by Georgia and some other countries.

12. This is the first international document which sets out key principles and instructions for all United Nations Member States in terms of to ensure effective legal aid service on criminal cases for the socially vulnerable population and other persons with special needs. In addition, the resolution grants Member States discretionary power to work out and introduce effective implementation mechanisms in view of the specificities of their legal systems and socioeconomic conditions. Georgia will continue to further advance this cause.

Commitments through regional organizations

13. Georgia is a member of the Council of Europe and, therefore, a party to the European human rights system. Georgia has signed and ratified most of the regional human rights instruments of the Council of Europe and actively participates in the processes leading to the formation of the regional human rights agenda.

14. Georgia is a member of the Organization for Security and Cooperation in Europe (OSCE) and therefore has accepted its human rights commitments. Georgia cooperates closely with the Office for Democratic Institutions and Human Rights of OSCE in strengthening its human rights standards at the national level.

2. Actions at the national level

15. At the national level, Georgia has an advanced system for human rights protection, composed of multiple institutions engaged in a constant process of societal dialogue for maximizing their efficiency. Its national human rights institution, the Office of the Public Defender, is a class A accredited body in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Besides the general procedures of access to justice and judicial review, several other bodies with special mandates operate to ensure stronger safeguards within their areas of protection. The Office of the Personal Data Protection Inspector, operational since 2013, is the most recent example of Georgia's commitment to responding promptly to newly emerging challenges in specific areas of human rights protection.

National strategy and action plan on human rights

16. The policy of the Government of Georgia on human rights is well reflected in the recently adopted National Human Rights Strategy and the related action plan.

17. The National Human Rights Strategy (2014-2020) was adopted by the Parliament of Georgia in March 2014. The Strategy had been developed by a human rights inter-agency coordination council, consisting of representatives of the Government and NGOs. The goal of the Strategy is to define the unified Government policy. For seven years, this strategy will serve as the main document defining the core human rights priorities and strategic directions of the Government.

18. The Action Plan of the Government of Georgia on the Protection of Human Rights (2014-2015) for the implementation of the National Human Rights Strategy was adopted in June 2014. The Action Plan sets out detailed commitments of Georgian authorities in order to implement the Strategy in 2014 and 2015. The Action Plan covers, inter alia, the following sectors: gender equality, domestic violence and efforts to combat human trafficking. Updates on its implementation are regularly presented to civil society organizations through a monthly series of meetings between representatives of the Government and NGOs.

Comprehensive anti-discrimination law

19. On 2 May 2014, the Parliament of Georgia adopted a comprehensive anti-discrimination law. The elaboration of a new anti-discrimination law had begun in 2012. All competent ministries, as well as local and international NGOs, actively participated in the drafting process. Feedback and recommendations provided by international organizations and experts are reflected in the final text. The law explicitly prohibits discrimination on the basis of gender identity. It also prohibits discrimination in both the public and private sector and imposes responsibilities not only on public institutions but also on legal entities and individuals.

Personal data protection

20. On 1 August 2014, the Parliament of Georgia adopted amendments to personal data protection legislation introducing the election of an independent inspector. The functions of the inspector are to consult the data controllers, data processors and other interested persons on data processing and data protection issues, review complaints submitted by data subjects, examine the legality of data processing, raise public awareness and educate the public, data controllers and data processors on data protection, participate in legislative processes relating to personal data protection issues and impose administrative responsibility for violations of personal data protection regulations.

International conference on gender equality

21. Gender equality through gender mainstreaming is one of the main policy priorities of Georgia. The Ministry of Foreign Affairs is organizing a high-profile international conference on gender equality in November 2015, in cooperation with partner Governments and relevant organizations.

Rights of internally displaced persons

22. The Government of Georgia is committed to protecting the rights of internally displaced persons and providing effective mechanisms for addressing their specific needs. The implementation since 2007 of a State strategy on internally displaced persons and its updated action plan, which will continue throughout 2015, as well as the new law on internally displaced persons from the occupied territories of Georgia, have brought significant improvements with regard to the issues of providing appropriate living conditions to internally displaced persons, financial assistance, proper registration and procedures for the timely granting of internally displaced person status to every person affected, family reunions, ensuring the right of property restitution and the provision of appropriate health care, education and employment in a non-discriminatory manner.

23. Following his visit to Georgia in June 2013, the Special Rapporteur on the rights of internally displaced persons welcomed the steps taken by the Government

of Georgia to achieve solutions to the plight of internally displaced persons in the country.

3. Commitments by Georgia as a candidate for membership in the Human Rights Council

24. Fully realizing the responsibility implied by Council membership and committing itself to making a meaningful contribution to the promotion and protection of human rights at the international, regional and national levels during and after its membership in the Council, Georgia hereby pledges to:

(a) Continue its full cooperation with the Council in accordance with resolution 60/251 and engage with the entire membership with the aim of contributing to the full implementation of the mandate of the Council;

(b) Actively engage in the work of the Council by strengthening the capacity of the Council in to address the situation in the areas of human rights "black holes" worldwide;

(c) Engage constructively in finding ways to improve the working methods of the Council;

(d) Intensify its support of and establish a qualitatively new standard of cooperation with all arms of the human rights machinery of the United Nations, including OHCHR, the special procedures mandate holders and the treaty bodies;

(e) Uphold the universality of the universal periodic review and engage in the review process through constructive participation in the interactive dialogues;

(f) Support initiatives to strengthen the capacity of the Council to promote the rights of the most vulnerable groups, with special emphasis on children, women and internally displaced persons;

(g) Consider ratifying the international and regional human rights instruments to which Georgia is not yet a party;

(h) Promote the right to environment (article 37 (3) of the Constitution of Georgia provides for the right to a healthy environment);

(i) Continue the practice of voluntary financial contributions to various United Nations human rights and humanitarian bodies;

(j) Increase its activities aimed at offering to share its experience in carrying out internationally renowned reforms in good governance and public service delivery, which serve the goal of effective implementation of human rights;

(k) Bolster international efforts to share experiences and exchange best practices in promoting and protecting human rights;

(l) Work closely with all interested NGOs to increase their representation and participation in international human rights forums;

(m) Support efforts aimed at ensuring a prompt and efficient international response to newly emerging human rights challenges.